

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN HYLER,
Plaintiff,

vs.

CAROLYN W. COLVIN¹,
Commissioner of Social Security,
Defendant.

CIVIL ACTION

NO. 12-4974

ORDER

LEGROME D. DAVIS, J.

AND NOW, this 17th day of July, 2013, upon consideration of the plaintiff's motion for summary judgment, defendant's response thereto, and plaintiff's reply, and after careful review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Motion for Summary Judgment is DENIED.

BY THE COURT:

/s/ Legrome D. Davis

LEGROME D. DAVIS, J.
UNITED STATES DISTRICT JUDGE

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for previous Commissioner Michael J. Astrue as defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).